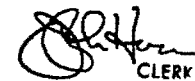


FILED

OCT 07 2011

  
CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

\*\*\*\*\*

MUELLER PALLETS, LLC,

Plaintiff,

vs.

VERMEER MANUFACTURING  
COMPANY,

Defendants

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CIV 09-4016

ORDER OF DISMISSAL

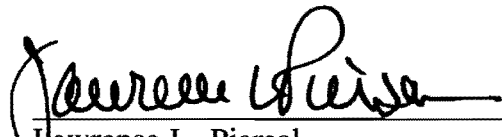
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The Court has been advised that the case has been settled. Accordingly,

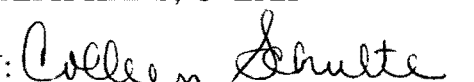
IT IS ORDERED that this action is hereby dismissed without costs and with prejudice, each party to pay their own costs. Any party, on good cause shown on or before November 7, 2011, may move to vacate this Order of Dismissal and reopen this action if settlement is not consummated. The Court also retains ancillary jurisdiction to enforce all settlement agreements entered into by the parties and their representatives. *See Harris v. Arkansas State Highway and Transp. Dep't*, 437 F.3d 749 (8th Cir. 2006).

Dated this 7<sup>th</sup> day of October, 2011.

BY THE COURT:

  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY:   
DEPUTY